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Colonel Roose

PATR TO-DAY AND PROBABLY TO-High, 78; Low, 55. Full Report on Page 5

First to Last-the Truth: News - Editorials - Advertisements

TUESDAY, APRIL 20, 1915.

Vol. LXXV....No. 24,992.

U. S. Supreme Court, in Divided Opinion, Upholds Conviction.

TWO JUSTICES SAY

Holmes and Hughes Declare Circumstances of Original Trial Justified Plea.

had the effect of forcing a new trial artillery corresponds to the axis cylinders of the nerve system, while the for Frank and possibly setting him at

Two of the justices held that the circomstances of Frank's original trial justified the high court in granting him another lease on life. These were Holmes delivered the opinion and Jus-November, criticised the mob influence in the jury which first tried Frank, and which really guided the Frank attorpeys in pleading for the habeas corpus writ. Justice Lamar had refused to order a review of the case a few weeks before, but Justice Holmes's stinging

and Holmes in their minority opinion,

presence of an armed force known to be ready to shoot if the result was not Combs not there, but the Leiters had lenced by the suggestion that the rec- ton social and political circles. and showed no flaw.

The minority opinion concluded with the statement that it was the duty of

The minority opinion concluded with the statement that it was the duty of the Posservant Action Committees of the Concepting of the Concep

of fear. But supposing the alleged facts to be true, we are of the opinion if they were before the Supreme Court It sanctioned a situation upon which the courts of the United States should act, and if for any reason they were not before the Supreme Court it is our duty to act upon them now and to de-clare lynch law as little valid when Practical.

that she would be able to return nome within a few days.

The United States, but, on the contrary, he had been convicted and was held in the meaning of the constitution of the the meaning of the constitution of the Chief process of law within the meaning of the constitution of the Chief process of the Witted States, but, on the contrary, he had been convicted and was held in the meaning of the constitution for the constitution of the Chief process of the within a few days.

Aigrette Dealers Cornered.

Aigrette Dealers Cornered.

Agents of the State Conservation of the Commission seized \$10,000 worth of Commission seized \$10,000 worth of the State Conservation along the windows. In a rear rocal aigrettes in a number of shops in the aigrettes of aigrettes has been going on the Supreme Court to the baby was dead.

Where Frederick, jr., their thirteenmonths-old son, lay, they discovered the baby was dead.

Mrs. Judson became hysterical, and her husband summoned Patrolman Thomas Coughlin with his police whistened the baby was dead.

Commission seized \$10,000 worth of the baby was dead.

Where Frederick, jr., their thirteenmonths-old son, lay, they discovered the baby was dead.

Where Frederick, jr., their thirteenmonths-old son, lay, they discovered the baby was Justice Pitney stated that the obligation rested on the Supreme Court to look through the form and into the Yery heart and substance of the matter, not only of the averment in Trank's petition, but in the trial proceedings in the state courts themselves. The petition contains a narrative of the matter of the petition contains a narrative of the continued on page 3, column 7.

FRANK'S APPEAL Tribune Man in Trenches, 10ST: ONLY HOPE Feels France's New Spirit

IS IN GOVERNOR Stands Beside Artillery Officer as He Directs Deadly "Iron Curtain" from Guns-Sniped at Within Thirty Yards of German Lines.

By C. I. BARNARD.

In the Field, Northern France, April 19.—By the exceptional courtesy of the Minister of War, The New York Tribune correspondent has been author ized to visit several sectors of the French fighting lines of vital strategic INVINCIBILITY GONE, importance in the operations now in progress. I have been allowed, holding MOB SWAYED JURY a periscope in my hand, to walk beside infantry commanders penetrating the most advanced trenches to within thirty yards from the German front, now

and then saluted by well-timed bullets from German snipers. On the following day I was permitted to climb up and remain like a Cities, Stripped of Garrisons to Order for Dry Sabbath Due to squitrel in an adroitly concealed observation post, at the elbow of an artillery captain, who, in a low, subdued voice, communicated through the telephone his orders, with mathematically exact precision of elevation, range and direcphonic command the projectiles would fall with unerring accuracy u last chance of saving his life in the Precise point in the enemy's positions selected by the battery commander in the observation station. By the discharge of at least a dozen projectiles this

almost inconceivable skill of the French artillery was demonstrated.

But what, from a purely technical and military standpoint, is unprecetendent. Frank's only hope of escap- dented in the art of modern warfare is the complete unity and lightning- prisoners. ath penalty to-night is clem- like rapidity of thought, conception and execution now established between the advanced trenches and their artillery supports. This unity can only be Seven of the Supreme Court justices compared to the nerve system of the human body. In fact, the French artillery held there was no reason to grant a and infantry positions may be justly compared to the nerve arrangement of babeas corpus writ, which would have the human body, because they are so finely branched and interlaced. The

Continued on page 2, column 6

TAMMANY VOTES

Tammany Hall, in its present loca-

M'COMBS ISSUES FORMAL DENIAL TO MOVE UPTOWN

Separation from Wife Sachems Want Wigwam News to Him, He Says in Club District at Park -5th Ave. Tabooed. —She Vanishes.

Washington, April 19.-Publication tion, is doomed. There was not a disof the story of the separation of Will- senting voice at the monthly meeting

that she was in Washington on Sunday at the home of her sister, Mrs. failed to produce any informa-

the one desired, we do not suppose that the one desired, we do not suppose that this court would allow itself to be sition has increased gossip in Washing-

William F. McCombs, chairman of the Democratic National Committee, in a formal statement yesterday said he did not wish to dignify the report of

the may be necessary that the supremacy of the law and of the Federal Constitution should be vindicated in a case like this.

"It may be on a hearing a different complexion would be given to the complexion would be given to the law of the succeed him as chairnan of templexion would be given to the lection to succeed him as chairman of judge's alleged request and expression the Democratic National Committee is made out of whole cloth and is the go sip of persons whose purpose is to make trouble and create discord within the ranks of the party."

Mrs. Roosevelt Out Soon. turned to their home, at 872 East

Mrs. Theodore Roosevelt, who was Twenty-third Street, Brooklyn, at midoperated on in Roosevelt Hospital last night last night to find the house reeksed by a regularly drawn jury as operated on in Roosever very esterday. ing with the smell of gas. Rushing to administered by one elected by a week, continued to improve yesterday. ing with the smell of gas. Rushing to It was said at the hospital last night their bedroom, on the second floor, that she would be able to return home where Frederick, jr., their thirteen-

VILLA, FRANTIC, BREWERS JOIN KILLS OFFICERS DURING FLIGHT

After Quarrel Ends in Revolt.

MEN OPENLY MUTINY

Reinforce His Army, Occu-

pied by Carranzistas.

El Paso, Tex., April 19, His army Villa left more than 5,000 men dead on the Celaya battlefield, as many more are in hospitals in Aguas Calientes and

desperate battle at Celaya was sent to the border to-day by Viila himself in wall at last, and it is for the sake of Villa quarrelled with General Felipe Angeles, his chief lieutenant, and had that last Sunday must be absolutely Angeles arrested. A campaign had dry is taker as a final proof that they been planned by Angeles, but Villa have decided to co-operate with the had refused to carry out the sugges-

lowing his plan. Villa became angry, arrested Angeles and at once was met with a revolt among his own men. In attempting to put it down Villa is said to have shot several of his officers. The army quickly divided, a large portion of it declaring for Angeles.

This afternoon Villa, with not more than half his original command, was at Aguas Calientes, 240 miles north of

than half his original command, was at Aguas Calientes, 240 miles north of Celaya. To-night a desperate effort to

determination of the sachems who constitute a building committee. The ported to be occupying a number of general location which seemed to be most favored was between Forty-second and Fifty-ninth Streets, west of Fifth Avenue. Thomas F. Smith, secretary of Tammany Hall, said that the price of a plot and the building would not stand in the way if a satisfactory place could be found.

Two plans for a new clubhouse, one

pursuit of the Villa forces and will not Two plans for a new clubhouse, one Two plans for a new clubhouse, one fer a corner and the other for the interior of a block, were submitted last night by Charles B. Meyers, the architect who designed the New York State Building at the Panama-Pacific Exposition. Mr. Meyers is a member of the Villa lorges and will hot give them a chance to rally. Apparently which has been fortified in anticipation of a withdrawal from the south.

Villa Power on Wane,

The control of the resolution that seems and at the earliest opportunity, it was unanisously adopted, dedorth, destroyed period of the destroyed period of the bard at Common teachers, it was unanisously adopted, dedorth, destroyed period of the seems, but did not be the destroyed period of the seems to be undertaken. So, the control of the control o

REFORMERS IN CITY CLEAN-UP

Attempt to Arrest Angeles Makers of Beer Attempt to Beat Billy Sunday in His Own Line.

> **SALOONKEEPERS** AT THEIR MERCY

Fear of Public Opinion Directed Against Traffic.

crushed by the forces of General Obre- New York brewers may get there first. And the brewers, who hold a large

hands, can put into operation more powerful machinery of distinctly human origin that the Rev. William could organize.

The New York brewers, from all inpetuate law and order. Their decree

tions made by the artillery commander.

After the crushing defeat General
Angeles upbraided Villa for not following his plan. Villa became angry,

at the same time a strangle hold on the license holder. Thus it happens that when the brew-

place now, and the

reason is that the brewers have seen that organizations like the Committee of Fourteen have been making good.

As the old Haymarket, Sharkey's, the
German Village and other notorious resorts were gradually put out of busi-ness, the brewers, who were the powers behind all of those tottering thrones,

Power on Wane,
Washington's Belief
Washington's Belief
Washington's Belief
Washington's Belief
Washington's Belief

Dismissal Motion Denicd.

Another an Atheist, Other 249
Seniors Christians.

[By Telegraph to The Tribune.]
New Haven. April 19.—A religious census of the Yale senior class shows that one student admits he is a heathen and another an atheist. There are 82 Episcopalians, 53 Presbyterians, 39 Congregationalists, 25 Roman Catholics, 19 Baptists, 17 Hebrews, 12 Methodics, 19 Baptists, 17 Hebrews, 12 Methodists, 5 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 5 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 5 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 5 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 5 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 6 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 6 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 6 Dutch Reformists, 4 Lutholics, 19 Baptists, 17 Hebrews, 12 Methodists, 19 Baptists, 19 B

Colonel's Target Bosses, Not Barnes, His Defence GAINS 3 MILES



leged Libellous Statement Was Aimed Only at Rotten State Government, but Motion to Dismiss Complaint Is Promptly Denied.

of the story of the separation of William F. McCombs, chairman of the Democratic National Committee, and his wife of less than a year and a half has spurred intimate friends to renewed efforts to effect a reconciliation. Many are hopeful that the differences of the young couple may yet be patched up. Attempts to obtain a personal statement from Mrs. McCombs to-day were unsuccessful. Although it is known that she was in Washington on Sunday

complaint was denied by Justice Anstatement concerning the rottenness of an invisible government were not aimed The brewers' logic is comparatively at William Barnes as William Barnes,

statement of last July on which the the crew of the Prinz Eitel Friedrich. Their preparations for attack without any but the scantiest news of their movements leaking out. ers declared the article was not libellous per se, and in the absence of any innuendo the case would fail. He as Swedish subjects on their way to may renew his motion unless malice is shown by the plaintiff, and in any be bearers of a secret report from the event he has prepared the way for an Eitel's commander.

Swedish subjects on their way it is stated that the Germans are preparing to evacuate Menin, fourteen miles southeast of Ypres. In the event he has prepared the way for an

Biggest Territory Won Since Fall, Says Report.

HILL BLOWN UP, **HUNDREDS SLAIN**

Gap Permitted Advance Into Open Back of the German Lines.

RETURN ATTACKS FAIL

Fighting Fierce as at Neuve Chapelle and Bodies Lie Thick Around Trenches.

London, April 20 .- A dispatch to 'The Morning Post" says that in territory recovered the latest success of the British army south of Ypres is the biggest advance it has made since autumn, for it has advanced five kilometres (over three miles) and obtained a position of the greatest tech-

the miners sprang a series of mines of exceptional strength. A part of a hill was entirely blown away and several hundred Germans killed. The village of Kemmel is famous in Flanders for its mountain, a hill some 500 feet high, but the only one in the country. There was sharp fighting here on the 7th and 8th of this month, when the Germans almost effected a surprise on the British lines. After temporarily occupying some of the British trenches they were driven back with heavy

Germans Pushed Back.

The most recent phase of the fighting The most recent phase of the fighting is, however, of quite another character. Two kilometres were gained at this point, and with the hill of Kemmel in British hands an important step has been taken it, the great task of swinging back the German right. The fighting was quite as fierce as at Neuve Chapelle. The British advance swept on to a point where there were no trenches, and the troops were exposed to a heavy fire while digging them-

selves in.

It was a case of breaking through the German lines of trenches to a point considerably behind them. The artillery, following up the work of the sappers, played havoc with the German trenches, and, as at Neuve Chapelle, the British infantry fell upon a foe utterly demoralized. The action is still in progress, and the advance has been un-

movements leaking out.

the British captured several dominat-

reaching his decision colonel Roosevelt nodded a solemn assent.

Colonel Appears Subdued.

All in all, it was a much subdued though no less determined Colonel who appeared at the trial to-day. Mr. Barnes outdid Colonel Roosevelt in severity of assect.

Almost side by side they sat—the man who was President of the United States and who founded a political party, and the man who was a power in Republican state politics. For once

Continued on pabe 4, column 2

Play football instead of joining the army.

Amateur football practically stopped when the professionals, who number nearly five thousand, continued as usual.

Mr. Wall explained this, to-day, by saying: "It was impossible to stop the game at the beginning of this season because contracts had been signed with players, landiords and contractors of Burgkorpfeld.

Continued on pabe 4, column 2

GRAPHIC SECTION

With Next Sunday's Tribune ORDER FROM YOUR NEWSDEALER TO-DAY

SAY EITEL'S MEN ARE IN DENMARK

PHOTOS (C)

UNDERWOOD-UNBERWOOD

Copenhagen Reports Assert Part of Crew Landed There with

to arms been issued by the Colonel at patch to "The Daily Mail" says that Germans than those at Neuve Chapelle another time other men would have been mentioned.

Begins exercise from the Colonel's among the passengers on board the liner Hellig Olav, which arrived there accounts for the fact that General Reading excerpts from the Colonel's to-day from New York, were some of French's troops were enabled to make

When the Eitel was interned at the Dismissal Motion Denicd.

"I will deny your motion at this men would leave Norfolk.

"I will deny your motion at this officers nor men would leave Norfolk.

"I will deny your motion at this officers nor men would leave Norfolk.

"I will deny your motion at this officers nor men would leave Norfolk.

"I will deny your motion at this officers nor men would leave Norfolk.

Honolulu, April 19 .- The United

States submarine F-4, submerged on the ocean floor outside the harbor since March 25, was raised twelve feet early

BRITISH DRIVE

BELOW YPRES

The British have delivered another telling blow upon German lines between Kemmel and Wulverghem. The attack opened Sunday morning, when

Swedish Passports.

(By Cable to The Tribenel London, April 19.—A Copenhagen distributed with the William Mail, and the advance has been unchecked. Eight hundred German prisoners have already come in, and everything points to greater losses for the Garrier than the control of the control of

"A successful action commencing on the evening of the 17th culminated last night in the capture and com-plete occupation of an important point, known as Hill 60, which lies about two